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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,397	11/20/2003	Katsuaki Akama	1086.1187	5532

21171 7590 01/22/2007  
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EXAMINER

GYORFI, THOMAS A

ART UNIT

PAPER NUMBER

2135

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/22/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/716,397	<b>Applicant(s)</b> AKAMA, KATSUAKI	
	<b>Examiner</b> Tom Gyorfi	<b>Art Unit</b> 2135	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/5/04</u> . | 6) <input type="checkbox"/> Other: ____  |

**DETAILED ACTION**

1. Claims 1-14 are pending examination.

***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 4/5/04 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Teitelbaum (U.S. Patent 5,872,834).

Regarding claims 1, 7, and 11:

Teitelbaum discloses a method, program, and apparatus for registering the position of a terminal equipment, comprising: a personal information managing step, by a personal information management unit, of registering personal information for each user, the personal information linking a subscribed terminal number, a terminal subscriber identification number and user charging information to biological information

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of a user possessing the terminal equipment (col. 8, lines 64-67); an authentication request receiving step, by an authentication request receiving unit, of receiving from the terminal equipment an authentication request containing the user biological information and the terminal subscriber authentication information (col. 7, lines 30-50); a biological information authentication step, by a biological information authentication unit, of retrieving personal information having biological information matching the received biological information and of changing terminal subscriber information in the retrieved personal identification into the received terminal subscriber identification information (Ibid); and a position registration proxy step, by a position registration proxy unit, of transferring the subscribed terminal number in the personal information retrieved and the received terminal subscriber identification information to an exchange and of requesting position information registration which enables call in and call out as a terminal equipment having the subscribed terminal number (Ibid; see also the call forwarding feature at col. 8, lines 5-10).

Regarding claims 2, 8, and 12:

Teitelbaum further discloses a use renouncement notification step of notifying a terminal equipment which has been used so far of renouncement of its use when position information is requested of the exchange which enables call in and call out as a terminal equipment having the subscribed terminal number based on the authentication of biological information from a new terminal equipment by the authentication request

receiving step, the biological information authentication step, and the position registration step (i.e. hanging up from a forwarded call, see col. 8, lines 5-11).

Regarding claims 3, 9, and 13:

Teitelbaum further discloses wherein the biological information received by the authentication request receiving step is biological information read in real time into the terminal equipment (e.g. col. 8, lines 40-50).

Regarding claims 4, 10, and 14:

Teitelbaum further discloses wherein the personal identification management step includes registering charged user identification information of a specific person among group members as common charged user identification of a plurality of terminal equipments owned by group members such that the specific person is charged (col. 8, lines 10-35).

Regarding claim 5:

Teitelbaum further discloses wherein the terminal equipment is a cellular phone (Figure 12, and col. 8, line 64 – col. 9, line 10).

Regarding claim 6:

Teitelbaum further discloses wherein the biological information is user's fingerprints, venous vascular network, palm print, palm shape, facial image, ear shape, or iris (e.g. col. 4, lines 20-30).

**Conclusion**

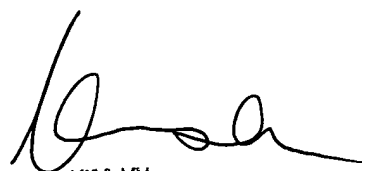
5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: U.S. Patents 6,765,470 to Shinzaki; 6,377,699 to Musgrave et al.; and 6,219,793 to Li et al.; and U.S. Pre-Grant Publications 2002/0087894 to Foley et al. and 2002/0060243 to Janiak et al.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom Gyorfi whose telephone number is (571) 272-3849. The examiner can normally be reached on 8:30am - 5:00pm Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TAG  
1/11/07

  
KIM VU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100